

REMARKS

Summary

Claims 1-6, 10-36, and 38-52 were pending. In the present response, claims 1, 15, 18, 21, 22, 25, 27, 30, 32, 35, 39, 40, 44, 46, 47, and 49-52 are amended. No claims are cancelled or added. No new matter has been added.

Accordingly, claims 1-6, 10-36, and 38-52 remain pending.

Examiner Interview Summary

Applicant thanks the Examiner for the courtesies extended to Applicant's representative during a March 26, 2010, telephonic interview during which the outstanding rejections were discussed. In particular, the distinctions of claim 1 over Niemi, Marchisio, and, in particular, Wasilewski were discussed. Examiner Chankong agreed that clarifying the "list" as including "one or more user-populated first keywords and one or more user-populated second keywords" appeared to overcome the cited references. Applicant's further record of the substance of the interview is embodied in the remarks below.

Claims 51 and 52

There is no rejection pending against claims 51 and 52, and as such it appears claims 51 and 52 are allowable over the cited references. For completeness, certain distinguishing characteristics of claims 51 and 52 over the cited references are identified below.

Rejections Under 35 USC 103

Claims 1-6, 10, 11, 18, 21, 22, 25-27, 30-32, 35, 36, 39-41, and 47-50

Claims 1-6, 10, 11, 18, 21, 22, 25-27, 30-32, 35, 36, 39-41, and 47-50 were rejected under 35 USC 103(a) over Niemi in view of Marchisio and Wasilewski. Applicant respectfully traverses the rejections and reserves the right to later address

the eligibility of the references as prior art.

Claim 1 was previously amended to recite a “user-populated list” in the context of the additional features of the claims. As conceded by the Examiner, such a feature is not taught or suggested by Niemi and Marchisio. As a result, the current Office Action cited Wasilewski for teaching a “user-populated list.” Based on the clarifying amendments to the claims and the remarks below, Applicant submits that the claims are distinguishable over Niemi in view of Marchisio and Wasilewski, when the invention being claimed is viewed as a whole as required by law.

Claim 1 has been amended to recite, in part, “the first and second keywords present in a list established prior to the retrieving and displaying of the first information page, the list including one or more user-populated first keywords and one or more user-populated second keywords, the list relating the second keywords to the first keywords” The cited references do not teach or suggest these features.

In line with prior arguments, and in line with the agreement reached with the Examiner during the prior interview, Niemi and Marchisio do not teach or suggest a “list including one or more user-populated first keywords and one or more user-populated second keywords” The prior arguments and interview discussion focused on the language “user-populated list;” however, Applicant asserts that the present language better defines the intended scope of claims and distinguishes over the cited references.

For the teaching of the prior cited feature of a “user-populated list,” the Office Action cited Wasilewski. Wasilewski provides features relevant to intelligent selection of search terms. The system utilizes a pick list of terms, and a list of associated terms. For the purposes of this discussion (but not limiting on the claims), assuming the “terms” and “associated terms” of Wasilewski may be compared to the “first keywords” and “related ... second keywords” of claim 1. Wasilewski provides a mechanism for a user to update the terms or term list (pick list, initial dictionary). But, Wasilewski does not provide a mechanism for a user to select or update the associated terms. Rather, the associated terms are

identified/extracted by automated document analysis. For example, from Column 7, line 60 to Column 8, line 12, a “variety of ways of terms becoming associated with each other” are described including “searching for a document ..., scanning ... for terms, ... and associating the found terms” with the selected term (initial, dictionary term), or “associating the terms on a scanned page with each other.”

In contrast with Wasilewski, claim 1 recites “the list including one or more user-populated first keywords and one or more user-populated second keywords....” Thus, in claim 1, “one or more ... first keywords” may be “user-populated” as well as “one or more ... second keywords” may be “user-populated.” Wasilewski only describes a user updating the pick list or “first keywords,” and the association between the first and second keywords are “automated.” A person of ordinary skill in the art will appreciate that “automation” is always an approximation or a guess of a user’s intent, trading precision for efficiency. Thus, on the issue of augmenting a first keyword with a second keyword, Wasilewski stands for a proposition that teaches away from the recitation of amended claim 1. Therefore, it follows, the combination of the references teaches away from claim 1, when claim 1 is viewed as a whole as required by law under 103(a) rejections.

For at least this reason, Applicant respectfully submits that claim 1 is therefore patentable over the combination of Niemi, Marchisio, and Wasilewski under 103(a).

Independent claims 18, 21, 25, 30, 35, 39, 44, 47, and 49 contain language similar to that of claim 1 and thus are patentable over the cited references for at least similar reasons as claim 1.

Claims 1-6, 10-17, 19, 20, 22-24, 26-29, 31-34, 36, 38, 40-43, 45, 46, 48, and 50 are dependent on claims 1, 18, 21, 25, 30, 35, 39, 44, 47, and 49 and thus are patentable over the cited references for at least the similar reasons discussed above.

Claims 12-17, 19, 20, 23, 24, 28, 29, 33, 34, 38, and 42

Claims 12-17, 19, 20, 23, 24, 28, 29, 33, 34, 38, and 42 were rejected under 35 USC 103(a) over Niemi in view of Marchisio and Wasilewski, in further view of Finseth. Applicant respectfully traverses the rejections and reserves the right to later address the eligibility of the references as prior art.

Claims 12-14, 19, 20, 23, 24, 28, 29, 33, 34, 38, and 42 depend from claims 1, 18, 21, 25, 30, 35, and 39, respectively. As discussed above, Applicant submits that claim 1 is patentable over the combination of Niemi, Marchisio, and Wasilewski. Finseth fails to remedy the above-cited deficiencies of Niemi, Marchisio, and Wasilewski. Thus, for at least the reasons cited above in relation to claim 1, Applicant submits that claims 12-14, 19, 20, 23, 24, 28, 29, 33, 34, 38, and 42 are patentable over the cited references.

Independent claim 15 is patentable over Niemi, Marchisio, and Wasilewski for the reasons noted above. Further, claims 16 and 17 depend from claim 15. Finseth fails to remedy the above-cited deficiencies of Niemi, Marchisio, and Wasilewski. Thus, for at least the same reasons noted above, Applicant respectfully submits that claims 15-17 are patentable over the combination of Niemi, Marchisio, Wasilewski, and Finseth.

Claim 43

Claim 43 was rejected under 35 USC 103(a) over Niemi, Marchisio, and Wasilewski in further view of Hoyle. Applicant respectfully traverses the rejections and reserves the right to later address the eligibility of the references as prior art.

Claim 43 depends from claim 1 and thus is patentable over the combination of Niemi, Marchisio, and Wasilewski for at least the reasons discussed above. Hoyle fails to remedy the above-cited deficiencies of Niemi, Marchisio, and Wasilewski. Thus, for at least the reasons cited above in relation to claim 1, Applicant submits that claim 43 is patentable over the cited references.

Claims 44-46

Claims 44-46 are rejected under 35 USC 103(a) over Niemi in further view of Marchisio. Applicant respectfully traverses the rejections and reserves the right to later address the eligibility of the references as prior art.

Independent claim 44 is patentable over Niemi and Marchisio for the reasons noted above. For example, Niemi and Marchisio do not teach or suggest “the first and second keywords present in a list established prior to the retrieving and displaying of the first information page, the list including one or more user-populated first keywords and one or more user-populated second keywords, the list comprising keywords relating the second keywords to the first keywords,” as recited in claim 44.

Further, claims 45 and 46 depend from claim 44. Thus, for at least the same reasons noted above, Applicant respectfully submits that claims 44-46 are patentable over the combination of Niemi and Marchisio.

Claim 51

With respect to independent claim 51, the claim (unamended in the present response) recites that “the keyword list including one or more keywords and, for each keyword, one or more user-populated related keywords” Similar to the arguments presented above, the cited references do not teach or suggest the “user-populated related keywords.” Applicant notes that claim 51 has not been amended herein, and thus the present language of claim 51 has already been searched and examined with respect to the references of record.

Claim 52

As noted above, claim 52 was not rejected over the references of record. As such, it appears that claim 52 is allowable over the references of record. In the present response, the language of claim 52 has been clarified to coincide better with other pending claims and to better recite various distinguishing characteristics of the claim. Applicant asserts that claim 52 remains allowable over the references of record at least for the reasons noted above.

Conclusion

In view of the foregoing, Applicant respectfully submits that the claims are in condition for allowance and early issuance of the Notice of Allowance is respectfully requested.

If the Examiner has any questions, the Examiner is invited to contact the undersigned at (503) 796-2844. Please charge any shortages and credit any overages to Deposit Account No. 500393.

Respectfully submitted,
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